

**SUPREME COURT MINUTES  
WEDNESDAY, JUNE 17, 1998  
SAN FRANCISCO, CALIFORNIA**

S069728 People, Respondent

6th Dist. v.

H016248 Sammy Daniels, Appellant

Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Soto*, S044043 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S069308 People, Respondent

2nd Dist. v.

B103468 Ramon Gonzalez, Appellant

Div. 4 Respondent's petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Ortega*, S055216 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Appellant's petition for review DENIED.

Mosk, J., is of the opinion review should be granted as to both petitions, and that further action and briefing should not be deferred.

George, C.J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S069491 Chaim Magnum, Petitioner

4th Dist. v.

E022280 Riverside County Superior Court, Respondent

Div. 2 People, Real Party in Interest

Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Hubbard v. Superior Court*, S060927 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S069539      People, Respondent  
4th Dist.      v.  
D026393      Angel Manuel Armigo et al., Appellants  
Div. 1      Petitions for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Cortez*, S055733 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Appointment of counsel is deferred pending further order of the court.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S069596      Arthur Mitchell, Respondent  
1st Dist.      v.  
A076593      Asbestos Corporation Limited, Appellant  
Div. 2      Respondent's petition for review GRANTED.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S069616      People, Respondent  
1st Dist.          v.  
A079196      Todd James Maupin, Appellant  
Div. 2          Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Allen*, S054125, *People v. Gainey*, S064917, *People v. Superior Court (Branham)*, S063653 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S069688      Regents of the University of California, Petitioner  
1st Dist.          v.  
A078867      San Francisco County Superior Court, Respondent  
Div. 3          Tim Molloy, Real Party in Interest  
                    Petition for review GRANTED.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Brown, J.

S070018      In re the Marriage of Pendleton and Fireman  
2nd Dist.      -----  
B113293      Candace Pendleton, Respondent  
Div. 1          v.  
                Barry I. Fireman, Appellant  
                Respondent's petition for review GRANTED.

George, C.J.  
Kennard, J.  
Baxter, J.  
Werdegarr, J.  
Chin, J.  
Brown, J.

S063737      In re David Bloxton  
                on  
                Habeas Corpus

The Director of the Department of Corrections is ordered to show cause before the Los Angeles County Superior Court, when the matter is placed on calendar, why petitioner is not entitled to have the abstract of judgment in Case Number NA018052 corrected to conform to the reporter's transcripts. (See Attorney General informal response to the petition (p.4), filed March 9, 1998.) The return shall be filed on or before July 17, 1998.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegarr, J.  
Chin, J.  
Brown, J.

S070867      People, Respondent  
2nd Dist.      v.  
B108274      Nathaniel Fulton, Appellant  
Div. 4

Pursuant to written request of petitioner, only appellant's pro. per. petition for review, filed on June 5, 1998, in the above entitled matter is ordered withdrawn.

- S069120      In the Matter of a State Bar Investigation  
Not a Member of the Bar  
Petition for writ of review DENIED.  
The request for recusal of this court is denied.
- S069551      Joseph Allen Green, Petitioner  
v.  
First District Court of Appeal, Respondent  
People, Real Party in Interest  
Petition for writ of mandate DENIED.
- S070026      Wilfred J. Killian, Petitioner  
v.  
Review Department of the State Bar Court, Respondent  
Petition for writ of review DENIED.
- S070322      David Dillier, Petitioner  
v.  
Court of Appeal Fifth Appellate District, Respondent  
People, Real Party in Interest  
Petition for writ of mandate DENIED.
- S060424      In re Leon Watts  
on  
Habeas Corpus  
Petition for writ of habeas corpus DENIED.
- S062714      In re Charles G. Reece  
on  
Habeas Corpus  
Petition for writ of habeas corpus DENIED.
- 1st Dist.  
A073933      Marilyn Winetrub et al., Respondents  
v.  
Div. 4      City of Investment Corporation, Appellant  
S069923      Appellant's petition for review DENIED.
- 1st Dist.  
A076662      People, Respondent  
v.  
Div. 4      Vernon B. Britten, Appellant  
S070139      Appellant's petition for review DENIED.

1st Dist. A077775 Div. 2 S069816	People, Respondent v. David Keith Zelinski, Appellant Appellant's petition for review DENIED.
1st Dist. A078278 Div. 2 S069999	Franti Pazderka et al., Appellants v. Caballeros Dimas Alang Inc., Respondent Petition for review DENIED. Baxter, J., is of the opinion the petition should be granted.
1st Dist. A078666 Div. 1 S070154	Estate of Sam Zakessian, Deceased ----- Carolyn J. Davis, Appellant v. George Gagos et al., Respondents Petition for review DENIED.
1st Dist. A078918 Div. 4 S070179	Pedro Leonardo Mascheroni, Appellant v. Regents of the University of California et al., Respondents Appellant's petition for review DENIED.
1st Dist. A080280 Div. 2 S070338	One Hour Cleaners et al., Petitioners v. Workers' Compensation Appeals Board et al., Respondents Petition for review DENIED.
1st Dist. A080315 Div. 4 S070317	Anna C. Mar, Petitioner v. Workers' Compensation Appeals Board et al., Respondents Petition for review DENIED.
1st Dist. A080848 Div. 4 S069894	Koppers Company Inc. et al., Petitioners v. Workers' Compensation Appeals Board et al., Respondents Petition for review DENIED.

1st Dist. Bank of America NT&SA, Petitioner  
A080555 v.  
Div. 3 San Francisco County Superior Court, Respondent  
S069895 James Hale et al., Real Parties in Interest  
Petition for review DENIED.  
Baxter, J., and Chin, J., did not participate.

1st Dist. In re Douglas Lecorno  
A081936 on  
Div. 3 Habeas Corpus  
S069646 Petition for review DENIED.

1st Dist. Patricia A. McColm, Petitioner  
A082535 v.  
Div. 3 San Francisco County Superior Court, Respondent  
S070284 Richard Alvarez, Real Party in Interest  
Petition for review DENIED.

2nd Dist. Dominguez Energy L.P. et al., Appellants  
B084112 v.  
Div. 2 Shell Oil Company et al., Appellants  
S068257 Appellants' petition for review DENIED.  
The request for an order directing publication of the opinion is  
DENIED.

2nd Dist. City of Oxnard et al., Respondents  
B103714 v.  
B107180 Roger M. Donlon et al., Appellants  
Div. 6 Appellants' petition for review DENIED.  
S070135

2nd Dist. People, Respondent  
B105169 v.  
Div. 7 Adrion McFarlin et al., Appellants  
S069600 Appellants' petitions for review DENIED.

2nd Dist. People, Respondent  
B106270 v.  
Div. 3 Robert Johnson, Appellant  
S070106 Appellant's petition for review DENIED.

2nd Dist. Venus Ann Riste et al., Appellants



B106373 v.  
Div. 2 A.G. Daimler-Benz et al., Respondents  
S069469 Appellants' petition for review DENIED.

2nd Dist. People, Respondent  
B106764 v.  
1st Dist. Gary Vincent Featherstone, Appellant  
S070141 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B107537 v.  
Div. 3 Albert Michael Diaz, Appellant  
S069547 Appellant's petition for review DENIED.

2nd Dist. Paul Bashkin, Appellant  
B107605 v.  
Div. 7 Arthur Sorosky, M.D. et al., Respondents  
S069990 Appellant's petition for review DENIED.

2nd Dist. Coldwell Banker Residential Brokerage Company, Appellant  
B107631 v.  
Div. 4 Mary Roitz, Respondent  
S070001 Appellant's petition for review DENIED.

2nd Dist. Shirley Fuller, Appellant  
B107691 v.  
Div. 4 Bethany Apostolic Church et al., Respondents  
S069475 Petition for review DENIED.

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed March 4, 1998, which appears at 61 Cal.App.4th 1119. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

2nd Dist. People, Respondent  
B107707 v.  
Div. 1 Stephen Baez, Appellant  
S069344 Petitions for review DENIED.

2nd Dist. People, Respondent  
B107709 v.  
Div. 7 Clifford Earl Horace, Appellant  
S070117 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B108137 v.  
Div. 3 Vincent George Treul, Appellant  
S070288 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B108292 v.  
Div. 5 Derrick Reynard Gaye, Appellant  
S070108 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B108366 v.  
Div. 3 Hakim Harith Jordan, Appellant  
S070246 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B108473 v.  
Div. 2 Alfredo Sanchez et al., Appellants  
S069938 Appellants' petition for review DENIED.

2nd Dist. People, Respondent  
B109558 v.  
Div. 5 Melvin Clark, Appellant  
S070326 Appellant's petition for review DENIED.

2nd Dist. Miriam Campos et al., Appellants  
B109566 v.  
Div. 3 Sharon Costello et al., Respondents  
S070191 Appellants' petition for review DENIED.

2nd Dist. Meadows Management Company et al., Appellants  
B109690 v.  
Div. 7 United States Fidelity & Guaranty Co. et al., Respondents  
S069930 Respondents' petition for review DENIED.

2nd Dist. People, Respondent  
B110067 v.  
Div. 5 Cesar J. Abarca, Appellant  
S069627 Appellant's petition for review DENIED.

2nd Dist. Daniel Marvosh et al., Appellants  
B110220 v.  
Div. 2 Emodean K. Bissing, as Executrix, etc. et al., Respondents  
S069647 Petition for review DENIED.

2nd Dist. People, Respondent  
B110224 v.  
Div. 4 Mike Miller, Appellant  
S069653 Respondent's petition for review DENIED.  
Baxter, J., is of the opinion the petition should be granted.

2nd Dist. Angelica Varillas, Appellant  
B110225 v.  
Div. 1 Juventino Varillas Espinoza et al., Respondents  
S070123 Petition for review DENIED.

2nd Dist. People, Respondent  
B110274 v.  
Div. 3 Eric Delano Mallard, Appellant  
S070249 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B110320 v.  
Div. 1 Juan Borrell, Appellant  
S070104 Appellant's petition for review DENIED.

2nd Dist. Fireman's Fund Insurance Company et al., Respondents  
B110364 v.  
Div. 2 American Casualty Company of Reading, Appellant  
S069614 Respondents' petition for review DENIED.

2nd Dist. People, Respondent  
B110458 v.  
Div. 4 Rayburn Harvey, Appellant  
S070165 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B110515 v.  
Div. 3 Abigail Delacruz, Appellant  
S069497 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B110577 v.  
Div. 5 Thomas J. Kelley, Appellant  
S070145 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B110958 v.  
Div. 2 Joe Richard Valencia, Appellant  
S070215 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B111105 v.  
Div. 2 Jose Mauricio Calderon, Appellant  
S070190 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B111111 v.  
Div. 1 Richard Lamont James, Appellant  
S069615 Appellant's petition for review DENIED.

2nd Dist. City of Los Angeles, Appellant  
B111189 v.  
Div. 4 Amwest Surety Insurance Company, Respondent  
S070173 Respondent's petition for review DENIED.  
The request for an order directing depublication of the opinion is  
DENIED.

2nd Dist. People, Respondent  
B111349 v.  
Div. 7 Rudolfo Suarez Machado, Appellant  
S069995 Appellant's petition for review DENIED.

2nd Dist. B112250 Div. 2 S070204	People, Respondent v. Stephen Donison Holland, Appellant Appellant's petition for review DENIED. Request for judicial notice denied.
2nd Dist. B112304 Div. 1 S069967	People, Respondent v. Danny McCullough, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B112384 Div. 2 S070186	People, Respondent v. Brian Allen, Appellant Appellant's petition for review DENIED.
2nd Dist. B112630 Div. 6 S070185	People, Respondent v. Paul Loren Tunis, Appellant Appellant's petition for review DENIED.
2nd Dist. B112786 Div. 2 S070202	People, Respondent v. Dion Octave Breau, Appellant Appellant's petition for review DENIED.
2nd Dist. B112948 Div. 2 S069867	People, Respondent v. Melvin Johnson, Appellant Appellant's petition for review DENIED.
2nd Dist. B113030 Div. 7 S070127	People, Respondent v. Ralph Gilbert Silva, Appellant Appellant's petition for review DENIED.
2nd Dist. B113082 Div. 1 S070178	People, Respondent v. Christopher Drakeford, Appellant Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B113744 v.  
Div. 6 Daniel Segoviano, Appellant  
S070152 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B113896 v.  
Div. 5 Bruce C. Wells, Jr., Appellant  
S070171 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B114476 v.  
Div. 5 Steven Arnold Rose, Appellant  
S070247 Appellant's petition for review DENIED.

2nd Dist. In re Irina Kats on Habeas Corpus  
B119346 -----  
B107739 People, Respondent  
Div. 5 v.  
S069461 Irina Kats, Appellant  
Appellant's petition for review DENIED.

2nd Dist. Jim Guerrero, Petitioner  
B119442 v.  
Div. 6 Workers' Compensation Appeals Board et al., Respondents  
S070133 Petition for review DENIED.

2nd Dist. American Motorists Insurance Company, Petitioner  
B120156 v.  
Div. 7 Los Angeles County Superior Court, Respondent  
S069111 Montrose Chemical Corporation of California, Real Party in Interest  
Petition for review DENIED.

2nd Dist. Vincent Miller, Petitioner  
B120470 v.  
Div. 4 Los Angeles County Superior Court, Respondent  
S070150 People, Real Party in Interest  
Petition for review DENIED.

- 2nd Dist. U.S. Color Graphics, Petitioner  
B120838 v.  
Div. 3 Workers' Compensation Appeals Board, Respondent  
S070203 Hector Campos, Respondent  
Petition for review DENIED.
- 2nd Dist. State of California, Petitioner  
B120899 v.  
Div. 6 Ventura County Superior Court, Respondent  
S070263 County of Ventura et al., Real Parties in Interest  
Petition for review DENIED.
- 2nd Dist. Dave Buzzota, Petitioner  
B121197 v.  
Div. 3 Municipal Court County of Los Angeles, Respondent  
S070131 People, Real Party in Interest  
Petition for review DENIED.
- 2nd Dist. Jack and Olga Goodman et al., Petitioners  
B121369 v.  
Div. 7 Los Angeles County Superior Court, Respondent  
S070168 First American Title Company of Los Angeles, Real Party in Interest  
Petition for review DENIED.
- 2nd Dist. Morvarid Louise Moradi, Petitioner  
B121479 v.  
Div. 7 Los Angeles County Superior Court, Respondent  
S070297 Esagh Moradi et al., Real Parties in Interest  
Petition for review DENIED.
- 2nd Dist. In re Angela F. Wallace  
B122844 on  
Div. 2 Habeas Corpus  
S071031 Petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.
- 3rd Dist. California Kiwifruit Commission, Respondent  
C018368 v.  
S054594 Dave Moss et al., Appellants  
Petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. People, Respondent  
C021781 v.  
S070181 Ronald Allan Reed, Appellant  
Appellant's petition for review DENIED.

3rd Dist. Arlene Bayne, Appellant  
C024743 v.  
S069568 Carlos F. Brown et al., Respondents  
Appellant's petition for review DENIED.  
The request for an order directing publication of the opinion is  
DENIED.

3rd Dist. People, Respondent  
C024778 v.  
S069953 Danny Clyde Jones, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C025038 v.  
S069256 Terry Wayne Critton, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C025104 v.  
S069329 Gary Heglin, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C025308 v.  
S070252 Joe Torres, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C025660 v.  
S070277 Lonnie Prestonel Gray, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C026006 v.  
S070192 Joseph Andrew Baum, Appellant  
Appellant's petition for review DENIED.



3rd Dist. C026030 S070088	People, Respondent v. Charles Christian Badeker, Appellant Appellant's petition for review DENIED.
3rd Dist. C026110 S070195	People, Respondent v. Clarence Leon McVey, Appellant Appellant's petition for review DENIED.
3rd Dist. C029057 S070163	Sunsweet Growers, Respondent v. Waterscience Technologies Incorporated, Appellant Appellant's petition for review DENIED.
4th Dist. D026938 Div. 1 S069961	People, Respondent v. Robert Allen Wible, Appellant Appellant's petition for review DENIED.
4th Dist. D028494 Div. 1 S070256	People, Respondent v. Barton Thomas Buenavista, Appellant Appellant's petition for review DENIED.
4th Dist. D028516 Div. 1 S070304	People, Respondent v. Lawrence J. Horn, Appellant Appellant's petition for review DENIED.
4th Dist. D028674 Div. 1 S070136	People, Respondent v. Raul Ortiz Malave, Appellant Appellant's petition for review DENIED.
4th Dist. E018298 Div. 2 S069706	People, Respondent v. Tina Fawn Brown, Appellant Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E018588 v.  
Div. 2 Pamot Joey Thongvilay et al., Appellants  
S069580 Appellants' petitions for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent  
E018730 v.  
Div. 2 Gregory Bartole, Appellant  
S070110 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E018866 v.  
Div. 2 Eric Cunningham, Appellant  
S070220 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E019475 v.  
Div. 2 Plamen Stoianov Dimitrov, Appellant  
S070259 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E019735 v.  
Div. 2 Adolphus Mumphrey, Appellant  
S070273 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E019773 v.  
Div. 2 Charles Anthony Jones, Appellant  
S070285 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E019949 v.  
Div. 2 James Roman Aschenbrener, Appellant  
S070248 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E020009 v.  
Div. 2 Arnet Michael Evans, Appellant  
S069665 Appellant's petition for review DENIED.

- 4th Dist. John T. Sasso et al., Petitioners  
E022397 v.  
Div. 2 San Bernardino County Superior Court, Respondent  
S069975 Jean M. Bonaldo, Real Party in Interest  
Petition for review DENIED.
- 4th Dist. James Pepperell et al., Appellants  
G017832 v.  
Div. 3 Scottsdale Insurance Company, Respondent  
S070310 Respondent's petition for review DENIED.  
Kennard, J., Baxter, J., and Brown, J., are of the opinion the  
petition should be granted.  
The request for an order directing depublication of the opinion is  
DENIED.
- 4th Dist. Thomas Jeremiah Shea, Respondent  
G019924 v.  
Div. 3 Department of Motor Vehicles, Appellant  
S070242 Appellant's petition for review DENIED.
- 4th Dist. People, Respondent  
G020536 v.  
Div. 3 Tony Bill Ramirez, Appellant  
S070281 Appellant's petition for review DENIED.
- 4th Dist. People, Respondent  
G020712 v.  
Div. 3 Karl Walter Princic, Appellant  
S070232 Appellant's petition for review DENIED.
- 4th Dist. Steve McClune, Petitioner  
G021986 v.  
Div. 3 Workers' Compensation Appeals Board, Respondent  
S064338 CNA Insurance Company, Respondent  
Petition for review DENIED.

4th Dist. Abe S. Goldstein, Appellant  
G022090 v.  
Div. 3 McCulloch Federal Credit Union et al., Respondents  
S070162 And Companion Case  
Appellant's petition for review DENIED.

4th Dist. Judith H. Frumkin et al., Petitioners  
G023330 v.  
Div. 3 Orange County Superior Court, Respondent  
S070314 Columbia/HCA et al., Real Parties in Interest  
Petition for review DENIED.

5th Dist. People, Respondent  
F024600 v.  
S069682 Howard L. Cook, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F025281 v.  
S069659 Timothy D. Calderon, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F025451 v.  
S069768 Adan Montalvo, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027368 v.  
S070105 Jose Donald Toste, Jr., Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027371 v.  
S069771 Ellis Edward Evans, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027496 v.  
S070095 Raymond Anthony Singh, Jr., Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027769 v.  
S070342 Leslie Wayne Beckman, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F028014 v.  
S070224 Pedro Marin, Jr., Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F028102 v.  
S070111 Robert Stephen Tyler, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F028242 v.  
S070197 Royal Howard Garrison III, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F028444 v.  
S070103 Miguel Angel Garcia, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F028536 v.  
S070305 Richard Estrada, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F028693 v.  
S070257 Timothy Eugene Ingram, Appellant  
Appellant's petition for review DENIED.

5th Dist. Benjamin F. Juarez, Petitioner  
F030553 v.  
S070082 Fresno County Superior Court, Respondent  
People, Real Party in Interest  
Petition for review DENIED.

- 5th Dist. In re James L. Kelly  
F030679 on  
S070283 Habeas Corpus  
Petition for review DENIED on the merits. (*People v. Williams* (1996) 49 Cal.App.4th 1632; *People v. Brady* (1995) 34 Cal.App.4th 65.)
- 6th Dist. People, Respondent  
H014910 v.  
S069552 Tammy Rochelle Garvin, Appellant  
Appellant's petition for review DENIED.  
Mosk, J., and Brown, J., are of the opinion the petition should be granted.
- 6th Dist. People, Respondent  
H015489 v.  
S069325 Glen Aaron White, Appellant  
Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.
- 6th Dist. People, Respondent  
H015917 v.  
S069732 Shawn Garrett Bautista, Appellant  
Appellant's petition for review DENIED.  
Kennard, J., Baxter, J., and Brown, J., are of the opinion the petition should be granted.  
The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed March 19, 1998, which appears at 62 Cal.App.4th 337. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)
- 6th Dist. People, Respondent  
H016081 v.  
S070175 Daniel Garcia, Appellant  
Appellant's petition for review DENIED.
- 6th Dist. People, Respondent  
H016214 v.  
S070282 Erik Dwayne Patterson, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H016323 v.  
S070340 Mehrdad MacAmani, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H016384 v.  
H018169 Rickey Pinkston, Appellant  
S066547 -----  
In re Rickey Pinkston on Habeas Corpus  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H016647 v.  
S070087 Larry Schleeter, Appellant  
Appellant's petition for review DENIED.

6th Dist. Alan Foden, Appellant  
H016745 v.  
S070182 Gavilan Community College, Respondent  
Appellant's petition for review DENIED.

6th Dist. In re Michael Gaffin  
H018239 on  
S069386 Habeas Corpus  
Petition for review DENIED on the merits

6th Dist. Richard Thomas Esters, Petitioner  
H018363 v.  
S070091 Santa Clara County Superior Court, Respondent  
People, Real Party in Interest  
Petition for review DENIED.

1st Dist. Patricia McColm, Appellant  
A078680 v.  
S068063 Westwood Park Association, Respondent  
The request for an order directing depublishation of the opinion in  
the above entitled cause is DENIED.

- 2nd Dist. Doug Colliflower, Appellant  
B101568 v.  
Div. 3 City of Pasadena et al., Respondents  
S069752 The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.
- 2nd Dist. People, Respondent  
B110115 v.  
Div. 7 Eduardo Santos De La Torre, Appellant  
S069337 The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.
- 4th Dist. Delgadina Zabetakis, Appellant  
D025793 v.  
Div. 1 Dan L. Sullivan, Respondent  
S069591 The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.
- 4th Dist. John Yee et al., Appellants  
D026324 v.  
Div. 1 Mobilehome Park Rental Review Board, Respondent  
S054597 City of Escondido, Real Party in Interest  
The request for an order directing depublication of the opinion in  
the above entitled cause is DENIED.  
Baxter, J., did not participate.
- 4th Dist. John Johnston, Appellant  
E019625 v.  
Div. 2 Richard Newsome, Respondent  
S069593 The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.
- S010808 People, Respondent  
v.  
Jack Gus Farnam, Appellant  
On application of appellant and good cause appearing, it is  
ordered that the time to serve and file appellant's reply brief is  
extended to and including August 14, 1998.



S018814 People, Respondent

v.

Ramon Bojorquez Salcido, Appellant

On application of appellant and good cause appearing, permission is hereby GRANTED to file oversized appellant's opening brief.

S020161 People, Respondent

v.

Tauno Waidla, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including August 17, 1998.

S026223 People, Respondent

v.

Gregory Scott Smith, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including August 17, 1998, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S067104 People, Respondent

v.

Cruz Alberto Mendoza et al., Appellants

On application of appellant Raul Valle and good cause appearing, it is ordered that the time to serve and file appellant's opening brief on the merits is extended to and including July 15, 1998.

S004528 People, Respondent

Crim. v.

23138 Larry Junior Webster, Appellant

The Attorney General's motion to release confidential records, filed April 13, 1998, is denied as follows: Insofar as the motion seeks the release of records concerning the *fee compensation* of appellant's trial counsel, as made confidential in this court by rule 39.51(b), California Rules of Court, the motion cannot be satisfied because such materials are not included in the records submitted to

this court, and the Sacramento County Superior Court has advised that they no longer exist. Insofar as the motion seeks the release of records concerning trial *investigative expenses*, as made confidential in this court by Penal Code § 987.9 and rule 39.51(b), Cal. Rules of Court, the motion is denied without prejudice to its renewal upon a showing that all other reasonable means of obtaining the materials, including available remedies in the forum where habeas corpus proceedings are pending, have been exhausted.

S004790  
Crim.  
26424

People, Respondent

v.

Keith Tyrone Fudge, Appellant

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for appellant, filed April 23, 1998, is granted.

The order appointing the State Public Defender as counsel of record for appellant Keith Tyrone Fudge, is hereby vacated.

Jeannie R. Sternberg and Gary D. Sowards are hereby appointed as attorneys of record for appellant Keith Tyrone Fudge, the former as lead counsel and the latter as associate counsel. Counsel are appointed for purposes of all appropriate post-conviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S012762

People, Respondent

v.

Terry Douglas Bemore, Appellant

Good cause appearing, the application of appointed counsel for permission to withdraw as habeas corpus/executive clemency attorney of record for appellant, filed March 26, 1998, is granted.

The order appointing Matthew G. Newman as counsel of record for appellant Terry Douglas Bemore, filed May 4, 1992, is hereby vacated with respect to the investigation and/or initiation of habeas corpus/executive clemency proceedings related to appellant's capital appeal, and shall continue to be responsible for all appellate duties specified in Supreme Court Policies Regarding Cases Arising From Judgments of Death, Policy 3, standards 1-1 ad 2-1.

Robert R. Bryan is hereby appointed as habeas corpus/executive clemency counsel in place of Mr. Newman, and has responsibility for

all habeas corpus/executive clemency duties specified in Policy 3, standards 1-1 and 2-1. Mr. Newman is directed to deliver to Mr. Bryan, within 10 days from the filing of this order, a copy of the entire case file relating to Bemore's capital appeal and related habeas corpus proceedings currently in his possession, including, but not limited to, the reporter's and clerk's transcripts, all cases filed and documents obtained from appellant's trial counsel, all cases reports from investigators, legal assistants and paralegals, and copies of all other documents filed in this court.

S012762 People, Respondent

v.

Terry Douglas Bemore, Appellant

In conjunction with the order filed this day permitting Matthew G. Newman to withdraw as counsel of record for appellant Terry Douglas Bemore with respect to the investigation and/or initiation of habeas corpus/executive clemency proceedings related to appellant's capital appeal, Newman is ordered to reimburse this court the sum of \$62,000.00. Subject to Newman's timely and satisfactory completion of his on-going obligations with regard to the representation of appellant Bemore on Bemore's capital appeal, the court will permit Newman to satisfy this reimbursement order from future fixed fee progress payments for the appeal to which Newman would otherwise become entitled. This order is without prejudice to Newman's ability to seek - upon adequate demonstration - a credit for habeas corpus work that Newman has already performed "that is determined by the court to be of value to the court." (Fixed Fee Guideline 11, subpart B ["Court Action Upon Nonperformance of Work, and Reimbursement of Fees Upon Authorized Withdrawal of Appointed Counsel"].)

S016718 People, Respondent

v.

Steven David Catlin, Appellant

The motion of Steven David Catlin, filed April 1, 1998, to disqualify the California Attorney General's Office is denied.

S058034 In re **Michael Alan Baker** on Discipline

Good cause having been shown, it is hereby ordered that probation previously ordered in S058034 be extended for one year. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with section 6140.7.

S069305 In re **Olivia Theresa Ibarra** on Discipline

It is ordered that **Olivia Theresa Ibarra** be suspended from the practice of law for two years, that execution of suspension be stayed, and that she be placed on probation for two years on condition that she be actually suspended for 120 days and until she makes restitution to Elpac Electronics (or the Client Security Fund, if appropriate), in the amount of \$1,500.00, plus 10% interest per annum from November 16, 1996; to Stephen R. Purdy (or the Client Security Fund, if appropriate), in the amount of \$1,500.00, plus 10% interest per annum from December 8, 1996, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel, Los Angeles. She is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed January 22, 1998, as modified by its order filed February 2, 1998. If the period of actual suspension is two years or greater, she shall remain suspended until she has shown proof satisfactory to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that she comply with rule 955, California Rules of Court, and that she perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with section Bus. & Prof. Code section 6140.7 as amended effective January 1, 1997.

\*(See Business & Professions Code, § 6126, subd. (c).)

S069307 In re **Michael L. Osterberg** on Discipline

It is hereby ordered that **Michael L. Osterberg** be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955, California

Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and those costs are payable in accordance with section 6140.7 (as amended effective January 1, 1997).

\*(See Business & Professions Code, § 6126, subd. (c).)

S069348 In re **David Francis Grossman** on Discipline

It is hereby ordered that **David Francis Grossman** be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and those costs are payable in accordance with section 6140.7 (as amended effective January 1, 1997).

\*(See Business & Professions Code, § 6126, subd. (c).)

S069349 In re **John Michael Brown** on Discipline

It is ordered that **John Michael Brown** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 60 days. He is also ordered to comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its opinion filed February 2, 1998. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

